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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032.  
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U.S. PTO  
10/817582

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 148-1

First Inventor RUNALDUE, Thomas Jefferson

Title CLOCK GENERATION WITH CONTINUOUS PHASE

Express Mail Label No. EU718050151US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages 22]
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
- Oath or Declaration [Total Pages 1]
  - a.  Unexecuted (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for a continuation/divisional with Box 18 completed)*
  - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO

Commissioner for Patents  
Box Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper (number of pages )
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 C.F.R. §3.73(b) Statement  Power of Attorney (*when there is an assignee*)
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No:

Prior application information: Examiner Group / Art Unit:

For **CONTINUATION or DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label **23,515** or  Correspondence address below

|         |   |           |                |          |                |
|---------|---|-----------|----------------|----------|----------------|
| Name    | Dinh & Associates<br>Truong Dinh, Reg. No. 40,993 |           |                |          |                |
| Address | 2506 Ash Street                                   |           |                |          |                |
| City    | Palo Alto   | State     | CA             | Zip Code | 94306          |
| Country |   | Telephone | (650) 289-0600 | Fax      | (650) 289-0700 |

|                   |             |                                   |                    |
|-------------------|-------------|-----------------------------------|--------------------|
| Name (Print/Type) | Truong Dinh | Registration No. (Attorney/Agent) | 40,993             |
| Signature         |             |                                   | Date April 2, 2004 |

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# FEE TRANSMITTAL for FY 2004

Effective 01/01/03. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 437.00)

| Complete if Known    |                            |
|----------------------|----------------------------|
| Application Number   | Not yet assigned           |
| Filing Date          | April 2, 2004              |
| First Named Inventor | RUNALDUE, Thomas Jefferson |
| Examiner Name        | unknown                    |
| Group Art Unit       | unknown                    |
| Attorney Docket No.  | 148-1                      |

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  MoneyOrder  Other  None  
 Deposit Account:
Deposit Account Number **50-1229**Deposit Account Name **Dinh & Associates**

The Commissioner is authorized to: (check all that apply)

- 
- Charge fee(s) indicated below
- 
- Credit any overpayments
- 
- 
- Charge any additional fee(s) during the pendency of this application
- 
- 
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) |                        |          |
| 1001 770      | 2001 385      | Utility filing fee     | 385      |
| 1002 330      | 2002 165      | Design filing fee      |          |
| 1003 520      | 2003 260      | Plant filing fee       |          |
| 1004 750      | 2004 375      | Reissue filing fee     |          |
| 1005 160      | 2005 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Fee from below |   |             | Fee Paid |
|--------------|--------------------|--------------------|----------------|---|-------------|----------|
|              |                    |                    | Extra Claims   | = | X           |          |
| 21           | 4                  |                    | -20**          | = | 1 X 9 = 9   | 9        |
|              |                    |                    | -3**           | = | 1 X 43 = 43 | 43       |
|              |                    |                    |                | X |             |          |

## Large Entity Small Entity

| Fee Code (\$) | Fee Code | Fee (\$) | Fee Description  |
|---------------|----------|----------|--|
| 1202 18       | 2202     | 9        | Claims in excess of 20                                     |
| 1201 86       | 2201     | 43       | Independent claims in excess of 3                          |
| 1203 280      | 2203     | 140      | Multiple dependent claim, if not paid                      |
| 1204 84       | 2204     | 42       | ** Reissue independent claims over original patent         |
| 1205 18       | 2205     | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 52)

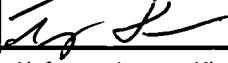
\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

| 3. ADDITIONAL FEES  | Large Entity  | Small Entity  | Fee Description  | Fee Paid |
|---------------------|---------------|---------------|--|----------|
| Fee Code (\$)       | Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
| 1051 130            | 2051          | 65            | Surcharge - late filing fee or oath  |          |
| 1052 50             | 2052          | 25            | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130            | 1053          | 130           | Non-English specification  |          |
| 1812 2,520          | 1812          | 2,520         | For filing a request for reexamination                                     |          |
| 1804 920*           | 1804          | 920*          | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*         | 1805          | 1,840*        | Requesting publication of SIR after Examiner action                        |          |
| 1251 110            | 2251          | 55            | Extension for reply within first month                                     |          |
| 1252 420            | 2252          | 210           | Extension for reply within second month                                    |          |
| 1253 930            | 2253          | 465           | Extension for reply within third month                                     |          |
| 1254 1,450          | 2254          | 725           | Extension for reply within fourth month                                    |          |
| 1255 1,970          | 2255          | 985           | Extension for reply within fifth month                                     |          |
| 1401 320            | 2401          | 160           | Notice of Appeal   |          |
| 1402 320            | 2402          | 160           | Filing a brief in support of an appeal                                     |          |
| 1403 280            | 2403          | 140           | Request for oral hearing   |          |
| 1451 1,510          | 1451          | 1,510         | Petition to institute a public use proceeding                              |          |
| 1452 110            | 2452          | 55            | Petition to revive – unavoidable   |          |
| 1453 1,300          | 2453          | 650           | Petition to revive – unintentional   |          |
| 1501 1,300          | 2501          | 650           | Utility issue fee (or reissue)   |          |
| 1502 470            | 2502          | 235           | Design issue fee   |          |
| 1503 630            | 2503          | 315           | Plant issue fee  |          |
| 1460 130            | 1460          | 130           | Petitions to the Commissioner  |          |
| 1807 50             | 1807          | 50            | Petitions related to provisional applications                              |          |
| 1806 180            | 1806          | 180           | Submission of Information Disclosure Stmt                                  |          |
| 8021 40             | 8021          | 40            | Recording each patent assignment per property (times number of properties) |          |
| 1809 750            | 2809          | 375           | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810 750            | 2810          | 375           | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801 750            | 2801          | 375           | Request for Continued Examination (RCE)                                    |          |
| 1802 900            | 1802          | 900           | Request for expedited examination of a design application                  |          |
| Other fee (specify) |               |               |  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

| SUBMITTED BY      |   | Complete (if applicable)          |                          |
|-------------------|---|-----------------------------------|--------------------------|
| Name (Print/Type) | Truong T. Dinh  | Registration No. (Attorney/Agent) | 40,993                   |
| Signature         |  |                                   | Telephone (650) 289-0600 |
| Date              | April 2, 2004   |                                   |                          |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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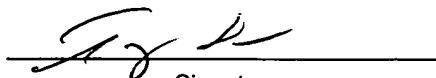
|   |  |                      |  |
|---|--|----------------------|--|
| <b>NONPUBLICATION REQUEST<br/>CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> |  | First Named Inventor | RUNALDUE, Thomas Jefferson             |
|   |  | Title                | CLOCK GENERATION WITH CONTINUOUS PHASE |
|   |  | Atty Docket Number   | 148-1                                  |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4/2/04

Date



Signature

Truong T. Dinh, Reg. No. 40,993

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.